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11 Attorneys for Defendant
12 WELLS FARGO BANK, N.A.

13 **UNITED STATES DISTRICT COURT**

14 **CENTRAL DISTRICT OF CALIFORNIA — WESTERN DIVISION**

15 ANNETTE GRIND,

16 Plaintiff,

17 vs.

18 WELLS FARGO BANK, NATIONAL
ASSOCIATION, and DOES 1 – 10
19 inclusive,

20 Defendants.

Case No. 2:17-cv-01267

[Formerly Ventura Superior Court of
California Case No. 56-2017-00491460-
CL-NP-VTA]

**NOTICE OF REMOVAL
PURSUANT TO 28 U.S.C. §§ 1441
AND 1331**

21
22 **TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR**
23 **THE CENTRAL DISTRICT OF CALIFORNIA AND ALL PARTIES AND**
24 **THEIR ATTORNEYS OF RECORD:**

25 PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1441 and 1446,
26 Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) hereby removes the
27 above-captioned action from the Superior Court of the State of California, in the
28 County of Ventura, to the United States District Court for the Central District of

1 California, Western Division. Wells Fargo alleges that it is entitled to removal
2 pursuant to 28 U.S.C. § 1331, based upon federal question jurisdiction, as follows:

3 1. Wells Fargo is named in the Complaint filed on January 10, 2017, by
4 Plaintiff Annette Grind (“Plaintiff”) in the Superior Court of the State of California,
5 in the County of Ventura, Case No. 56-2017-00491460-CL-NP-VTA, entitled
6 *Annette Grind v. Wells Fargo Bank, National Association* (the “State Court
7 Action”).

8 2. Wells Fargo has not yet filed an answer or otherwise responded to
9 Plaintiff’s Complaint in the State Court Action.

10 3. This notice of removal is timely under 28 U.S.C. § 1446(b) and Federal
11 Rule of Civil Procedure, Rule 6(a) because it was filed within 30 days of the service
12 on Wells Fargo of a copy of the Complaint on January 17, 2017.

13 4. Removal to the United States District Court for the Central District of
14 California, Western Division, is proper because this is the district and division
15 which embraces the county in which Plaintiff filed the State Court Action. 28
16 U.S.C. § 1441(a).

17 5. This action is a civil action of which this Court has original jurisdiction
18 under 28 U.S.C. § 1331, and is one which may be removed to this Court pursuant to
19 the provisions of 28 U.S.C. § 1441 because it arises under the following federal
20 statute: (1) the Telephone Consumer Protection Act, 47 U.S.C. §§ 227 *et seq.* *See,*
21 *e.g.,* FAC ¶¶ 3, 20, 24–29; *Mims v. Arrow Financial Services, LLC*, 132 S.Ct. 740,
22 753 (2012).

23 6. This Court has supplemental jurisdiction over all other claims asserted
24 by Plaintiff pursuant to 28 U.S.C. § 1367(a) and 28 U.S.C. § 1441(c).

25 7. As required by 28 U.S.C. § 1446(d), Wells Fargo will provide written
26 notice of the removal of this action to Plaintiff, and to the Ventura County Superior
27 Court.

1 8. Pursuant to 28 U.S.C. § 1446(a), attached as Exhibit A are accurate
2 copies of all papers received as of January 17, 2017.

3 WHEREFORE, Wells Fargo prays that the State Court Action be removed
4 from state court to this Court and that this Court assume jurisdiction over the action
5 and determine it on the merits.

6
7 DATED: February 16, 2017

SEVERSON & WERSON
A Professional Corporation

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9
10 By: /s/ Ivette Zamora
Ivette Zamora

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12 Attorneys for Defendant WELLS FARGO
13 BANK, N.A.
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